

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CELTIC WOMAN LTD.,

Plaintiff,

v.

CELTIC THUNDER, LTD.,

CELTIC MAN LTD., SHARON

BROWNE, WLIW LLC,

ALIGN ENTERTAINMENT GROUP LLC,

and GUSTAVO SAGASTUME,

Defendants.

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Civil Action No. 08-CV-0066

**PLAINTIFF CELTIC WOMAN  
LTD.'S MOTION FOR A  
PRELIMINARY INJUNCTION**

PLEASE TAKE NOTICE that, upon the Declaration of David Kavanagh, the Declaration of Jonathan Hochwald, executed January 8, 2008, and the Declaration of Peter Herbert, executed January 9, 2008, and the exhibits annexed thereto, and upon all pleadings and proceedings heretofore had herein, and upon the Plaintiff's accompanying memorandum of law, Plaintiff hereby moves this Court, before the Honorable Thomas P. Griesa, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, for an order, pursuant to Fed. R. Civ. P. 65, preliminarily enjoining Defendant WLIW LLC, its officers, directors, agents, servants, employees, successors and assigns, and all persons in active concert or participation with it, from:

(a) using in any form or manner the name or mark CELTIC MAN, including but not limited to, use in connection with the PBS Television Special CELTIC MAN scheduled to be broadcast in March 2008;

(b) using in any form or manner the domain names <celticman.ie>, <celticman.net>, <celticman.mobi>, <celticmen.ie>, <celticmen.eu>, and <celticmen.net>;

(c) using in any form or manner CELTIC MAN, or any other name, trade name, trademark, metatag, service mark, or domain name or consisting, in whole or in part, of the term CELTIC MAN, or any confusingly similar name, trade name, trademark, or domain name, on or in connection with any musical performance, group or stage show, or filing or recording or broadcasting thereof, including but not limited to, use in connection with the PBS Television Special CELTIC MAN scheduled to be broadcast in March 2008;

(d) unless authorized by the Plaintiff, using in any form or manner CELTIC WOMAN, or any other name, trade name, trademark, metatag, service mark, or domain name or consisting, in whole or in part, of the term CELTIC WOMAN, or any confusingly similar name, trade name, trademark, or domain name, on or in connection with any musical performance, group or stage show, or filming or recording or broadcasting thereof, including but not limited to, use in connection with the PBS Television Special CELTIC MAN scheduled to be broadcast in March 2008;

(e) expressly or impliedly representing itself or its goods or services as being affiliated in any manner with Plaintiff or as authorized, sponsored, or endorsed by or otherwise connected with Plaintiff;

(f) engaging in any conduct which will cause or is likely to cause confusion, mistake or misunderstanding as to the source, affiliation, connection, or association of Defendants or their products or services with Plaintiff or its products or services, including but not limited to, use in connection with the PBS Television Special CELTIC MAN scheduled to be broadcast in March 2008;

(g) otherwise infringing upon the trademark rights of Plaintiff or unfairly competing with Plaintiff in any manner whatsoever; and

(h) requiring Defendant WLIW LLC to engage in corrective advertising to dispel any confusion that may have been created by its use of the trademarks CELTIC WOMAN and CELTIC MAN.

The grounds for the instant motion are set forth in the Complaint filed in this action on January 3, 2008. In addition, Plaintiff is likely to succeed on the merits of its claims; Defendant WLIW LLC's actions are causing irreparable harm to the Plaintiff and, if not enjoined, will continue to cause irreparable harm to the reputation and goodwill of the Plaintiff; the balance of hardship tips decidedly in Plaintiff's favor; and Plaintiff has no adequate remedy at law.

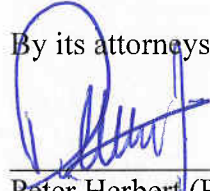
PLEASE TAKE NOTICE that, in accordance with the provisions of Local Civil Rule 6.1(b) of the Southern District of New York, any opposing affidavits and answering memoranda of law shall be served within ten (10) business days after service of the moving papers, and any reply affidavits and memoranda of law shall be served within five (5) business days after service of the answering papers.

Dated: New York, New York  
January 9, 2008

Respectfully submitted,

CELTIC WOMAN LTD.

By its attorneys,



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